



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

August 10, 2004

John W. Tucker, DDS PA
10 Vaughen Mall Suite 5
Portsmouth, NH 03801

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Notice of Past Violation

Re: Utilizing an Unregistered Hazardous Waste Transporter

Dear Dr. Tucker:

The New Hampshire Department of Environmental Services, Waste Management Division ("DES") has documented a violation of the New Hampshire Hazardous Waste Rules relative to the failure to use a New Hampshire registered hazardous waste transporter. On July 7, 2004, Stericycle, Inc. ("Stericycle") picked up and transported hazardous waste from your office located at 10 Vaughen Mall, Suite 5, Portsmouth, NH. Stericycle transported hazardous waste from your office using Massachusetts Manifest Number MAQ612383. At the time of this pick-up and transportation, Stericycle was not a registered hazardous waste transporter. This Notice of Past Violation is to inform you that the referenced violation is on file at DES. No further action related to the violation documented in this Notice of Past Violation is required.

This notice is being sent to inform you of the violation to help you prevent similar violations in the future. Enclosed is a summary that lists the past violation. The corrective action taken consists of you obtaining the services of a New Hampshire Registered Hazardous Waste Transporter to transport hazardous waste from your office to an authorized facility.

DES recognizes that a great majority of the regulated community wants to prevent pollution and to comply with environmental laws. Your efforts to correct the referenced violation are appreciated.

A current copy of the New Hampshire Hazardous Waste Rules can be obtained from DES's website at <http://www.des.state.nh.us/rules/hwrules.pdf>, or by contacting the Public Information Center at (603) 271-2975. A current copy of the New Hampshire hazardous waste statute can be obtained from the State of New Hampshire's website at <http://gencourt.state.nh.us/ras/html/indexes/147-A.html>.

If you or your staff have any questions regarding this matter, please feel free to contact Tammy Calligandes at (603) 271-3899.

Sincerely,

COPY

Carl F. Woodbury
Supervisor
Special Investigations Section

CERTIFIED MAIL: 7000 0660 0023 9932 1615

enclosure: Violation Summary
Manifest: MAQ612383

cc: DB/file/HWCS
Gretchen R. Hamel, Legal Unit Administrator
Stericycle, Inc.



COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS MATERIALS
One Winter Street
Boston, Massachusetts 02108

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator US EPA ID No. MA 09864843431R58B	Manifest Document No.	2. Page 1 of	Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address John W. Tucker, DDS 10 Vaughan Mall Ste 5 Portsmouth, NH 03801				A. State Manifest Document Number MA 0612383		
4. Generator's Phone (603) 438-5542				B. State Gen. ID K15259		
5. Transporter 1 Company Name STERICYCLE, INC		6. US EPA ID Number MAR000009191		C. State Trans. ID		
7. Transporter 2 Company Name		8. US EPA ID Number		D. Transporter's Phone 860 632-0294		
9. Designated Facility Name and Site Address ECOLOGY RECOVERY SYSTEMS, INC. 330 TACOMA ST. SUITE #4 WORCESTER, MA 01605		10. US EPA ID Number MAR000008375		E. State Trans. ID		
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.
a. HAZARDOUS WASTE LIQUID OR SOLIDS N.O.S. (SILVER), 9, NA3082 PG 111 OR NA9189		001	DF	00005	G	D011
b. NON-HAZARDOUS WASTE LIQUID, MA99 (SPENT DEVELOPER).			DF		G	
c. NON-HAZARDOUS WASTE LIQUID, MA99 (WASTEWATER).			DF		G	
d. RQ, ENVIRONMENTALLY HAZARDOUS SUBSTANCES, SOLID, N.O.S. (MERCURY), 9, UN3077, PG 111, LTD. QTY			DF		P	
J. Additional Descriptions for Materials Listed Above (include physical state and hazard code.) a. PHOTOGRAPHIC FIXER SILVER OVER 5 MG/L				K. Handling Codes for Wastes Listed Above a. T 3 0		
b. scrap dental amalgam for recycling				c. d.		
15. Special Handling Instructions and Additional Information THIS SHIPMENT OF WASTE IS RESTRICTED FROM LAND DISPOSAL BECAUSE THE CONCENTRATION OF SILVER IS OVER 5 MG/L. IN CASE OF EMERGENCY CALL CHEMTREC 800-234-0051.						
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.						
X Printed/Typed Name Mike Tucker Coffey		X Signature Mike Tucker Coffey		Date 07/07/04		
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name Randall Brand		Signature Randall Brand		Date 07/07/04		
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name		Signature		Date		
19. Discrepancy Indication Space						
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.						
Printed/Typed Name Cecilia Barbini		Signature Cecilia Barbini		Date 07/07/04		
ECOLOGY RECOVERY SYSTEMS, INC.						

Violation Summary

Requirement(s) Cited	Description of Violation and Corrective Action Taken
Env-Wm 507.03(c)(1)	Failure to ensure that hazardous waste is transported by a registered [New Hampshire] hazardous waste transporter.